

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF MISSOURI  
SOUTHERN DIVISION**

UNITED STATES OF AMERICA, )  
                               Plaintiff,      )  
v.                             )                          No. 04-3140-01-CR-S-DW  
                               )  
STEVEN GOSLEE,            )  
                               Defendant.      )

**ORDER**

Before the Court is Magistrate Judge James England's Report and Recommendation denying Defendant's motion to declare charging statute unconstitutionally vague. (Doc. No. 40.) Defendant filed objections to the Report and Recommendation. After an independent review of the record, the applicable law and the parties' arguments, the Court adopts the Magistrate's findings of fact and conclusions of law. Accordingly, the Court orders that the Magistrate's Report and Recommendation be attached to and made a part of this Order, and denies without prejudice Defendant's motion.

IT IS SO ORDERED.

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/s/ DEAN WHIPPLE

Dean Whipple  
United States District Judge

Date: July 8, 2005